

Vernon's Texas Civil Statutes); and declaring an emergency."

The bill was read second time and was passed to engrossment.

Senate Bill 67 on Third Reading

Senator Strong moved that Senate Rule 30 and the constitutional rule requiring bills to be read on three several days be suspended and that S. B. No. 67 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—30

Aikin	Herring
Bernal	Hightower
Berry	Jordan
Blanchard	Kennard
Bridges	Mauzy
Brooks	McKool
Christie	Moore
Cole	Patman
Connally	Ratliff
Creighton	Schwartz
Grover	Snelson
Hall	Strong
Harrington	Watson
Harris	Wilson
Hazlewood	Word

Absent—Excused

Bates

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—30

Aikin	Herring
Bernal	Hightower
Berry	Jordan
Blanchard	Kennard
Bridges	Mauzy
Brooks	McKool
Christie	Moore
Cole	Patman
Connally	Ratliff
Creighton	Schwartz
Grover	Snelson
Hall	Strong
Harrington	Watson
Harris	Wilson
Hazlewood	Word

Absent—Excused

Bates

Memorial Resolutions

S. R. No. 79—By Senator Watson: Memorial resolution for Mrs. Pauline Lewis Stiles.

S. R. No. 81—By Senator Watson: Memorial resolution for Davis S. Hill.

S. R. No. 84—By Senator Christie: Memorial resolution for C. B. Ray.

Welcome and Congratulatory Resolutions

S. R. No. 78—By Senator Cole: Extending congratulations to Joe and Freida Mendelovitz for their outstanding contribution to humanitarianism.

S. R. No. 80—By Senator Watson: Extending appreciation to Jesse V. Gunterman for his devotion to duty and the leadership he has provided the Waco Police Department.

S. R. No. 83—By Senator Christie: Extending congratulations to John Phelan on his selection as Sportsman of the Year.

Adjournment

On motion of Senator Aikin the Senate at 11:25 o'clock a.m. adjourned until 11:00 o'clock a.m. tomorrow.

TWELFTH DAY

(Tuesday, February 4, 1969)

The Senate met at 11:00 o'clock a.m., pursuant to adjournment, and was called to order by the President.

The roll was called and the following Senators were present:

Aikin	Hightower
Bernal	Jordan
Berry	Mauzy
Blanchard	McKool
Bridges	Moore
Brooks	Patman
Christie	Ratliff
Cole	Schwartz
Connally	Snelson
Creighton	Strong
Hall	Watson
Harrington	Wilson
Harris	Word
Herring	

Absent—Excused

Bates Hazlewood
Grover Kennard

A quorum was announced present.

Reverend W. H. Townsend, Chaplain, offered the invocation.

On motion of Senator Aikin, and by unanimous consent, the reading of the Journal of the proceedings of yesterday was dispensed with and the Journal was approved.

Leaves of Absence

Senator Bates was granted leave of absence for today on account of a death in the family on motion of Senator Ratliff.

Senator Grover was granted leave of absence for today on account of important business on motion of Senator Hightower.

Senator Hazlewood was granted leave of absence for today on account of important business on motion of Senator Word.

Senator Kennard was granted leave of absence for today on account of important business on motion of Senator Brooks.

Senate Bills on First Reading

The following bills were introduced, read first time and referred to the Committee indicated:

By Senators Creighton and Kennard:

S. B. No. 102, A bill to be entitled "An Act authorizing and directing the Department of Public Welfare to establish a Child Welfare Unit for Tarrant County; making an appropriation therefor; setting an effective date; and declaring an emergency."

To the Committee on Finance.

By Senator Herring:

S. B. No. 103, A bill to be entitled "An Act amending the State Bar Act; amending Subdivisions (a) and (c), Section 4, Chapter 1, General Laws, Acts of the 46th Legislature, 1939, page 64, as amended (Article 320a-1, Vernon's Texas Civil Statutes); and declaring an emergency."

To the Committee on Jurisprudence.

By Senator Herring:

S. B. No. 104, A bill to be entitled

"An Act to amend Chapter 425, Acts of the 56th Legislature, 1959, as amended, to include an attempt to obtain any dangerous drug over the telephone or by forging prescriptions as a prohibited act in Section 14; to include Subdivision (14) of Section 2 (a) in Section 15; add a new Subsection (d) to Section 15 which provides a penalty for violation of any provision of the Act; add a new Subsection (e) to Section 15 providing an increased penalty for subsequent convictions under (c) and (d) of this Section; providing that required records be accessible to officials and employees engaged in the enforcement of the Act; and declaring an emergency."

To the Committee on Jurisprudence.

By Senator Herring:

S. B. No. 105, A bill to be entitled "An Act creating a Texas State Board of Landscape Architects; defining the terms 'Landscape Architects,' 'Landscape Architecture,' 'Board,' 'person,' and 'Secretary'; providing for exemption for certain persons in professions; namely, registered professional engineers, city planners, land surveyors, nurserymen, architects (except landscape architects), and any person making plans, for property owned by himself and others; creating a board which shall consist of three members who shall be citizens of the United States and residents of Texas; prescribing qualifications for membership on board; providing method of appointment and prescribing term of office; defining a quorum of said board; providing for and prescribing oath of office and the manner of filling vacancies as well as removal for cause, prescribing the powers and duties of the board; providing for time and place of meetings; authorizing the board to adopt rules and regulations; authorizing employment of executive secretary, and employees of board; restricting salaries to those comparable in other departments of State; providing that no expense of the administration of the Act shall ever be charged against the general fund of the State of Texas; prescribing qualifications for registration; providing for examination and prescribing fee; prescribing for reciprocal provisions with other states and prescribing fee; prescribing for certificates of registration, fee, and method of revocation and reissuance; providing penalties for violation; prescribing for appeal from board order;

providing for the disposition of money collected under the Act; providing a saving and severability clause; repealing laws in conflict; and declaring an emergency."

To the Committee on State Affairs.

By Senator Herring:

S. B. No. 106, A bill to be entitled "An Act relating to the annual salary of assistants to the county school superintendent in certain counties; and declaring an emergency."

To the Committee on Education.

By Senator Grover:

S. B. No. 107, A bill to be entitled "An Act relating to the election of presidential electors from congressional districts and from the State at large, and binding all presidential electors to vote according to the plurality which elected them; amending the Texas Election Code as follows: amending section 170a, as amended (Article 11.01a, Vernon's Texas Election Code); adding section 171a; amending section 172 (Article 11.03); amending section 173, as amended (Article 11.04); amending section 174 (Article 11.05); and declaring an emergency."

To the Committee on Privileges and Elections.

By Senator Hightower:

S. B. No. 108, A bill to be entitled "An Act amending the State Bar Act; amending Section 6, Chapter 1, General Laws, Acts of the 46th Legislature, 1939, Page 64 (Article 320a-1, Vernon's Texas Civil Statutes); and declaring an emergency."

To the Committee on Jurisprudence.

By Senator Hightower:

S. B. No. 109, A bill to be entitled "An Act relating to the fixing minimum and maximum salaries of the official shorthand reporters for the 50th and 110th Judicial Districts of Texas; and declaring an emergency."

To the Committee on County, District and Urban Affairs.

By Senators Cole and Watson:

S. B. No. 110, A bill to be entitled "An Act creating a Commission for Rehabilitation and prescribing its powers, duties, functions, financing and procedures; repealing Chapter 23, Acts of the 41st Legislature, 1st Called Session, 1929, as amended (Article 2675-1, Vernon's Texas Civil

Statutes); and declaring an emergency."

To the Committee on State Affairs.

By Senator Cole:

S. B. No. 111, A bill to be entitled "An Act to require that those buildings and facilities constructed in the State by the use of State, county, or municipal funds shall adhere to the principles prescribed by this Act in order to make these buildings and facilities accessible to, and usable by, the physically handicapped; and declaring an emergency."

To the Committee on State Affairs.

By Senator Cole:

S. B. No. 112, A bill to be entitled "An Act to include within the definition of the term 'exceptional children' eligible for special education services pregnant girls who are residents of or under the care of licensed maternity homes; amending Paragraph a, Subsection (4), Section 1, Article III of Chapter 334, Acts of the 51st Legislature, Regular Session, 1949, as amended (Articles 2922-13, Vernon's Texas Civil Statutes); and declaring an emergency."

To the Committee on Education.

By Senator Cole:

S. B. No. 113, A bill to be entitled "An Act relating to non-elective state officers and employees holding other non-elective offices or positions of honor, trust, or profit; and declaring an emergency."

To the Committee on State Affairs.

By Senator Ratliff:

S. B. No. 114, A bill to be entitled "An Act providing for the creation of North Runnels County Hospital District with boundaries coextensive with the boundaries of Commissioners Precincts 2 and 3 of Runnels County, pursuant to authority granted by Article IX, Section 9, of the Texas Constitution; providing for elections on the questions of the creation of such district and the levy of a tax not to exceed 75 cents on the \$100 valuation for its maintenance, support, the indebtedness assumed, and the payment of bonds issued by it; providing the transfer of hospital facilities and assumption of indebtedness and assets; providing the district with power to issue bonds and methods for authorizing same, for the purpose of the

purchase, construction, acquisition, repair or renovation of buildings and improvements and equipping same for hospital purposes, and for any and all such purposes, and for the refunding of such bonds; providing that bonds issued by the district shall be lawful investments and security for certain funds; providing a governing body for such district, its powers and duties and the tenure of the members, withdrawing authority for the sale of bonds, of levy of taxes for hospital purposes within the district by Runnels County or any other municipality or political subdivision therein; enacting other provisions incident and germane to the subject and purpose of this Act; providing a severance clause; and declaring an emergency."

To the Committee on County, District and Urban Affairs.

By Senators Watson, Moore, Hazlewood, Word and Bates:

S. B. No. 115, A bill to be entitled "An Act changing the name of James Connally Technical Institute of Texas A&M University to the Manpower Resources System; creating the Board of Regents of the Manpower Resources System to govern and control the institute; providing for transfer of funds; and declaring an emergency."

To the Committee on State Affairs.

By Senator Hightower:

S. B. No. 116, A bill to be entitled "An Act amending Article 44.04, Code of Criminal Procedure to provide for the transfer of certain persons to the Texas Department of Corrections pending appeal from a felony conviction; providing for eligibility for credits thereto; and declaring an emergency."

To the Committee on Jurisprudence.

By Senator Brooks:

S. B. No. 117, A bill to be entitled "An Act restricting the holding of county, city, and town bond elections under certain circumstances; amending Article 701, Revised Civil Statutes of Texas, 1925; and declaring an emergency."

To the Committee on County, District and Urban Affairs:

By Senator Aikin:

S. B. No. 118, A bill to be entitled "An Act amending Article 7150, Re-

vised Civil Statutes of Texas, 1925, as amended, by adding a new Section 24 to exempt from taxation property of organizations devoted wholly to the promotion and encouragement of, or the dissemination of, information concerning the development, propagation, growing, or arrangement of flowers or decorative shrubs, plants, or trees, provided the property is owned and used for such purposes only, is not in whole or in part leased out to others, and is not in any manner operated with a view to profit; and declaring an emergency."

To the Committee on Jurisprudence.

Report of Standing Committee

Senator Aikin by unanimous consent submitted the following report:

Austin, Texas,
February 4, 1969.

Hon. Ben Barnes, President of the Senate.

Sir: We, your Committee on Finance, to which was referred S. B. No. 20, have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass as amended and be printed.

AIKIN, Vice Chairman.

Co-Author of Senate Bill 101

On motion of Senator Aikin and by unanimous consent Senator Hazlewood will be shown as Co-author of S. B. No. 101.

House Concurrent Resolution 11 on Second Reading

The President laid before the Senate the following resolution:

H. C. R. No. 11—Commending the Reagan Raiders, 1968 Texas 4-A State Football Champions and Co-Champions of the United States, for the sportsmanship and gentlemanly conduct they have displayed in pursuing the goal of football champions.

The resolution was read.

On motion of Senator Herring, and by unanimous consent, the resolution was considered immediately and was adopted.

Senate Resolution 89

Senator Moore offered the following resolution:

BE IT RESOLVED by the Senate of Texas, That at such times as the Senate may direct there shall be prepared Local and Uncontested Bill Calendars, which calendars shall be prepared by a Committee of five appointed by the Lieutenant Governor.

No bills or resolutions shall be placed on such calendar which contain appropriations or create new departments or subdivisions of departments, except purely local bills where the expenditure is not from State funds.

No bills or resolutions which the committee feels might create a controversy shall be placed on such calendar. Any bill or resolution on such calendar shall not be considered if as many as three members present object to such consideration.

The calendar shall be placed on the desks of the members at least six hours before any such Session. The committee may name a time after which applications for a place on the calendar may not be made.

The committee shall not consider any bills unless a printed copy of such bill or the bill itself is presented to the committee.

The resolution was read and was adopted.

Senate Concurrent Resolution 13

Senator Cole offered the following resolution:

S. C. R. No. 13, Expressing appreciation and congratulations to Coach McDonald and Coach Davis and the Eagles of St. Thomas High School, Houston.

Whereas, The Eagles of St. Thomas High School in Houston, Texas, have won the Texas Catholic Interscholastic League Class AAA Championship for the fourth time in five years; and

Whereas, The coaching team of Joe McDonald and "Burr" Davis has again demonstrated its leadership in maintaining a team of champions; and

Whereas, The Eagles since 1962 have compiled a superb record, ranking among the best in the Nation for high school football, of 65 wins, 13 losses, and 4 ties; and

Whereas, The Eagles of St. Thomas High School have demonstrated not only fine athletic skills, but also excellent sportsmanship and a sense of

responsibility to their school and community; now, therefore, be it

Resolved, That the Senate of the State of Texas, the House of Representatives concurring, express its appreciation and extend its congratulations to Coach McDonald and Coach Davis and the Eagles of St. Thomas High School and that a copy of this Resolution be sent to each of them as a token of the regard and respect of the Legislature for their goals and accomplishments.

The resolution was read.

On motion of Senator Cole, and by unanimous consent, the resolution was considered immediately and was adopted.

Message From the Governor

The following message received from the Governor was read and was referred to the Committee on Nominations:

Austin, Texas,
February 4, 1969.

To the Senate of the Sixty-first Legislature:

I ask the advice, consent, and confirmation of the Senate with respect to the following appointments:

To be a Member of the Veterans Land Board: For a four-year term to expire on November 29, 1972: Murray L. McWhorter, of Austin, Travis County.

To be Director, Division of State-Federal Relations: Alton D. Ice, of Austin, Travis County

Respectfully submitted,
PRESTON SMITH,
Governor of Texas.

(Senator Blanchard in the Chair.)

Welcome and Congratulatory Resolutions

S. R. No. 86—By Senator Snelson: Extending welcome to students and sponsors of Eighth Grade of Sabinal Junior High School.

S. R. No. 87—By Senator Herring: Extending welcome to Sixth Grade of Zavala School of Austin.

S. R. No. 88—By Senator Herring: Extending welcome to Fifth Grade of Mathews Elementary School of Austin.	of Brentwood Elementary School of Austin.
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Adjournment

S. R. No. 90—By Senator Herring: Extending welcome to Sixth Grade	On motion of Senator Aikin the Senate at 11:22 o'clock a.m. adjourned until 10:30 o'clock a.m. tomorrow.
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In Memory of
U. S. Representative Robert A. Everett

Senator Snelson offered the following resolution:

(Senate Resolution 85)

Whereas, On January 26, 1969, both the Nation and the State of Tennessee lost a great servant by the death of U. S. Representative Robert A. Everett; and

Whereas, Mr. Everett, known affectionately to his many friends as "Fats," was a concerned friend and ally of the State of Texas; and

Whereas, His concern brought him to West Texas on many occasions, where he worked closely with Texans on the Pecos River Water Development Compact Commission and other related projects; now, therefore, be it

Resolved by the Senate of the Sixty-First Legislature of the State of Texas, That we extend to the family and friends of Robert A. Everett, and to all our compatriots of the State of Tennessee, our sincerest sympathy and regret for the loss of their dear relative, leader and great servant; and, be it further

Resolved, That a copy of this resolution be presented to Lelia Ashton Everett, the mother of Representative Everett, at Union City, Tennessee; and, be it further

Resolved, That when the Senate of the State of Texas does this day adjourn, it do so in memory of the said Honorable Robert A. Everett.

The resolution was read and was adopted by a rising vote of the Senate.